### Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force Page 1 of 10 Incident Information URN: 0 1 7 - 1 7 4 5 8 - 0 4 6 9 Time: 12/01/2017 1943 hrs 0 5 6 Edwards Road City or Station: La Mirada Location: O YES 
NO South Patrol Division/Norwalk Station Bureau/Station/Facility Admin, Investigation: Type of Force: Stun bag YES NO Incident Category:  $\bigcirc$ 1 ()2 3 Deputy Injury: Suspect Injury YES () NO Vehicle Pursuit Foot Pursuit Call Observation Detail ● YES ○ NO IAB Notified: 

YES 
NO Person Notified: Lieutenant Powers IAB Roll Out Emp: Involved Employee Last Name First Name Rank DSG E 1 Race: Height: Weight: Regular Shift OT Shift Off Duty ○ EM ○ Day ● PM () м ( F Н 132 502 Work Assignment (Unit #, Module, etc.): Unit of Assignment: 46G Norwalk Station Individual Force Used: Individual Category Directed ( Rescue ( Medical Assist 2  $\bigcirc$ 3 Stun Bag Coroner Case # Admitted Injured Treated Facility: First Name Middle I. ast Name Rank DSG Rodriguez Daniel Weight: Shift: Sex. Race: Height: Age: PM Regular Shift ( ) OT Shift ( ) Off Duty • м Н 511 245 Work Assignment (Unit #, Module, etc.): Unit of Assignment: 45D2 Norwalk Station Individual Force Used: Individual Category Directed Rescue Medical Assist Stun Bag  $\bigcirc 1 \bigcirc 2$ 3 Coroner Case # Injured Treated Admitted Facility: N/A Employee # Last Name First Name Middle I. Weight: Shift: Sex: Height: Race: ○ EM ○ Day ○ PM Regular Shift OT Shift Off Duty () м () ғ Work Assignment (Unit #, Module, etc.): Unit of Assignment: Individual Category Individual Force Used: Directed ( Rescue ( Medical Assist  $\bigcirc 1 \bigcirc 2$ ()3 Coroner Case # Injured Treated Admitted Facility: Additional Involved Employees On Duty Supervisor First Name Middle I. Rank Present Witness to Incident Emp.# Last Name Gonzalez Godin Ρ. SGT ES 💿 NO ( YES 
NO Supervisor Completing Investigation Present Witness to Incident Emp. # Last Name First Name Middle I NMN SGT Alvarez Jaime YES 🔿 NO 📵 YES O NO ( Watch Commander / Supervising Lieutenant Rank Middle I. Last Name First Name Powers James Watch Commander / Supervising Lieutenant's Signature: Copy Provided to Employee by: Emp #: Unit Commander (Print Name) Unit Commander's Signature: Date DISCOVERY Use Only Original: Discovery Unit PPI REVIEW COMPLETED FO# Copy: Unit Commander

SH-R-438P (Rev. 01/13)

# Supervisor's Report on Use of Force SUSPECT INFORMATION

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Page 2 of 10

			Suspect Informatio		
S_1	Last Name Hernandez	First Name Va	anessa	Middle Name Nicole	Armed? Select Other Weapon: Edged
	AKA Last Name		First Name	1410016	Middle Name
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	Sex: Race: Race:		eight D.O.B: 200 04/11/91	Phone #1: ● H O W	○ C Phone #2: ○ H ○ W ○ C
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	onoctriunioss.		City:		State & Zip Odde.
	Booking #: Prima	ary Charge Code: 2	45(c) PC Seco	ndary Charge Code: 5	150 WIC Criminal History
	Treated on Scene?   YES				<del></del>
	Hospital Admission? 🛭 Rec'd Tre	eatment At: Whittier	Presbyterian	Coroner Case #: N/A	Mental History User's guide provides direction on this entry
	By: Dr. Michael Lee	Address: 124	401 Washington	Boulevard, Whittier	· · · · · · · · · · · · · · · · · · ·
	Under Influence: YES N	O Substance:	Suspect Intervi	5150 a factor in fo	orce? • YES NO User's guide provides direction on this entry
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	Booking #: Prima	ary Charge Code:	Seco	ondary Charge Code:	Criminal History
	Treated on Scene? YES	NO By:		Unit:	Phone #:
	Hospital Admission? Rec'd Tre	eatment At:		Coroner Case #:	Mental History User's guide provides direction on this entry
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	Treated on Scene? YES	NO By:		Unit:	Phone #:
	Hospital Admission? Rec'd Tre	eatment At:		Coroner Case #:	Mental History User's guide provides direction on this entry
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### Supervisor's Report on Use of Force EMPLOYEE / NON-EMPLOYEE INFORMATION

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Page 3 of 10

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SH-R-438P (Rev. 01/13) Additional Witness

### Supervisor's Report on Use of Force EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

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			En	nployee Witnesses						
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Unit of Assignment: Norwalk S	tation	Work	Assignment (Unit # 46T1		Shift:	O Day  PM	1 ( R	egular (	OT Off Duty	
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# Supervisor's Report on Use of Force EMPLOYEE / NON-EMPLOYEE INFORMATION

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SH-R-438P (Rev. 01/13) Additional Witness

### Supervisor's Report on Use of Force EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

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			Employee	Witnesses				
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# Supervisor's Report on Use of Force EMPLOYEE / NON-EMPLOYEE INFORMATION

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			En	nployee Witnesses						
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SH-R-438P (Rev. 01/13) Additional Witness

# Supervisor's Report on Use of Force EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

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### Supervisor's Report on Use of Force EMPLOYEE / NON-EMPLOYEE INFORMATION

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			En	nployee Witnesse	s					
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SH-R-438P (Rev. 01/13) Additional Witness

Supervisor's Report on Use of Force
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#### Method

(BC (BI) (BF) (CN (CR (CH (CT) (TD) (CE	Baton: (Impact) Bodily Fluids Canine Carotid Restraint Choke Hold Control Holds: (Control Techniques) Control Holds: (Team Takedown) Control Holds: (Takedown)	(FR) (FS) (FO) (FB) (FL) (OE) (OV) (OB) (OO) (PK)	Firearm (Handgun) Firearm (Rifle) Firearm (Shotgun) Firearm (Other) Flashbang Flashlight Other Weapon: Edged Other Weapon: Vehicle Other Weapon: Blunt Object Other Weapon: Other Personal Weapon: Feet/Leg: (Kick) Personal Weapon: Feet/Leg: (Sweep)	(RS) (RO) (RH) (HB) (TP) (RE) (SP) (SH) (IR) (SB)	Personal Weapon (Other) Resistance Restraint Device (Other) Restraint Device (Handcuffs) Restraint Device: Hobble (Legs Only) Restraint Device: Hobble (TARP) Restraint Device: REACT Belt Sap Shield Less Lethal Impact Round (other) Sting Ball Stun Bag
		(PK)	Personal Weapon: Feet/Leg: (Kick)	(SB)	Sting Ball
(TG (EX	Chemical Agents (Tear Gas)	(PH)	Personal Weapon (Hand/Arm) Personal Weapon (Push)	(TR) (UC)	Taser Uncooperative High Risk

Type of Injury			Body Part Involved	<u> </u>
(BR) Bruise (BU) Burn (CP) Complaint of Pain (CO) Concussion (DH) Death	(DB) Dog Bite (FR) Fractures (GS) Gunshot (HB) Human Bite (LC) Lacerations (ND) Nerve Damage (OD) Organ Damage	(PA) Paralysis (PW) Puncture Wound (SD) Soft Tissue Damage (ST) Sprain/Twists (UN) Unconscious (RM) Refused Med Treatment (NN) NONE	(AD) Abdomen (FA) Face (AK) Ankle (FE) Feet (AR) Arm (FI) Fingers (BK) Back (GE) Genitals (BT) Buttocks (GR) Groin (CH) Chest (HD) Hands (EL) Elbow (HE) Head	(HI) Hip (IN) Internal (KN) Knees (LE) Leg (NK) Neck (NO) Nose (SH) Shoulder (WR) Wrist

FORCE USED BY	FORCE USED BY		IST	Method	Type of Injury	Body Part
Name	E# or S#	Name	E# or S#	(Code)	(Code)	(Code)
Hernandez	S#1		E#1	HR	NN	NN
	E#1	Hernandez	S#1	ST	BR	AD
Hernandez	S#1		E#1	HR	NN	NN
Rodriguez	E#2	Hernandez	S#1	ST	FR	FA

### COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

#### INVESTIGATIVE SUMMARY

INCIDENT: Category 3 Use of Force (Fractured right cheek bone

and temporal bone. Swelling and bruising to the left

side of the abdomen)

IAB FILE NUMBER: FO2441700

DIVISION / UNIT: South Patrol/Norwalk Station

DATE / TIME: Friday, December 1, 2017, 1907 hours

LOCATION: Edwards Road, La Mirada

SUSPECT: Vanessa Nicole Hernandez, FH/27, DOB: 04/11/91

**INVOLVED** 

PERSONNEL: Deputy , # Unit 46G, PM's

Deputy Daniel Rodriguez # Unit 45D2, PM's

#### SYNPOSIS

On December 1, 2017, an Internal Affairs Bureau Force and Shooting Rollout Team comprised of Lieutenant James Powers and Sergeants Jaime Alvarez and Omar Camacho, responded to Norwalk Sheriff's Station regarding a use of force. The use of force occurred at Edwards Road, in the city of La Mirada. The use of force resulted in the suspect sustaining fractures to the right cheek bone and temporal bone. The suspect also sustained swelling and bruising to the left side of the abdomen. The incident was documented under URN #017-17458-0469-056. Refer to [Exhibit A].

#### SUMMARY

On December 1, 2017, Norwalk Station received an attempt suicide call at tag-298 [Exhibit B]. The call indicated a female named Vanessa (later identified as Suspect Hernandez) had a large kitchen knife and wanted to commit "suicide by a cop." The informant was Suspect Hernandez.

Unit 46K4, Deputy Balarosan received the call for service and coordinated the call with assisting units. Deputy Balarosan arrived to the location and observed Suspect Hernandez holding a large kitchen knife in her right hand and a glass smoking narcotic

pipe in her left hand. Deputy Balarosan observed Suspect Hernandez brandishing the knife in an aggressive manner, and stating she wanted to kill herself. Assisting units 46G, Deputies and Roman, and unit 46K5, Deputy Alatorre responded and arrived on scene. Deputy Roman broadcasted emergent traffic, advising they were detaining Suspect Hernandez at gunpoint.

While keeping a safe distance (30-40 feet) from Suspect Hernandez, Deputy Balarosan assigned assisting Deputy with less lethal (stun bag), Deputy Alatorre with lethal (handgun), and Deputy Roman with less lethal (Taser).

IAB Note: Unit 41S, Sergeant Godin Gonzalez arrived at the location at approximately 1912 hours. Sergeant Gonzalez advised "40S" was on scene; however, his call sign was 41S. Sergeant Gonzalez provided a video camera, that recorded Suspect Hernandez' behavior and the use of force. Deputy Pantoja recorded the incident [EXHIBIT C].

Assisting units 43K1, Deputy Pierina Gentille, 43K5, Deputy Casey Goble, 45D2, Deputies Daniel Rodriguez and Jeremy Licona, 45D3, Deputies David Pantoja and Alan Hernandez, 45K1, Deputies Chad Crisafi and Michael Ovalle, 46K1, Deputy Jeremy Mangahis, 46K2, Deputy Kevin Ethridge, 46T1, Deputy Israel Becerra, 46G1, Deputies John Kleeh and Seth Johnson, 48, Deputies Daisy Rosales and Luis Molina, 48K2, Deputy Scott Reynal, and SAM 918B4, Deputy Ralpheal Banks assisted Deputy Balarosan as needed.

Sergeant Gonzalez formulated a tactical plan and assigned additional deputy personnel to less lethal; Deputy Rodriguez was assigned a stun bag and Deputy Balarosan was assigned to the Arwen. Sergeant Gonzalez designated an arrest team composed of Deputies Becerra and Alatorre, and assigned Deputy Pantoja to record the incident. Sergeant Gonzalez directed Deputies and Rodriguez to employ the stun bag if Suspect Hernandez advanced toward deputy personnel or if Suspect Hernandez attempted to retreat back inside the residence, where her was staying.

IAB Note: Sam 918B4, Deputy Banks arrived on scene at approximately 1940 hours.

Sergeant Gonzalez established a north and south containment on Edwards Road to prevent Suspect Hernandez from creating an avenue of escape, and also to prevent civilians from entering the area.

IAB Note: Los Angeles County Fire Department, Engine 49, under the direction of Captain Lombardo, were staging near the scene.

Several deputies on scene attempted to communicate with Suspect Hernandez by giving her verbal commands to drop the knife; however, after approximately 30 minutes

of an unsuccessful resolution, Suspect Hernandez made an attempt to advance deputies on scene. Suspect Hernandez said "Okay, I'm just going to have to do this." Suspect Hernandez began to count as she took a step forward. She clinched the knife with her right hand and advanced toward deputy personnel. Deputy yelled "stun bag, stun bag" as she aimed at Suspect Hernandez' low center mass from a distance of 30-35 feet, and struck Suspect Hernandez in the left lower abdomen. The impact of the stun bag round caused Suspect Hernandez to lean forward, moving her head toward her waist and she began to fall to the ground. Simultaneously, Deputy Rodriguez aimed the stun bag at Suspect Hernandez' low center mass and fired from a distance of 35-40 feet. The stun bag round struck Suspect Hernandez on the right cheek. Suspect Hernandez fell on her back, releasing the grip on the knife.

IAB Note: Deputy fired two rounds from her stun bag; however, only one round struck Suspect Hernandez in the abdomen.

The arrest team composed of Deputies Becerra and Alatorre approached Suspect Hernandez; Deputies Balarosan and Rosales assisted the arrest team, and approached Suspect Hernandez. Deputy Becerra grabbed the knife from the ground above Suspect Hernandez' head, and threw it away from Suspect Hernandez' reach. Deputy Becerra grabbed Suspect Hernandez' right hand and turned Suspect Hernandez on her stomach. Deputy Becerra grabbed Suspect Hernandez' left arm, placed it behind her back, and handcuffed Suspect Hernandez' wrists, with the assistance of Deputy Alatorre.

Deputy Rosales conducted a pat down for weapons on Suspect Hernandez and with the assistance of Deputy Becerra, Suspect Hernandez was escorted to a patrol vehicle, while waiting for the fire department to arrive.

Los Angeles County Fire, Engine 49 arrived and evaluated Suspect Hernandez' condition. Suspect Hernandez was subsequently transported to Whittier Presbyterian Hospital for further medical treatment. Emergency Room, Dr. Michael Lee was Suspect Hernandez' attending physician under patient number . Unit 48/P, Deputy Daisy Rosales accompanied paramedics during the transportation of Suspect Hernandez. No deputies were injured.

IAB Note: All personnel involved in the Use of Force, including witnesses authored reports [Exhibit A]. Some of the supplemental reports authored by deputy personnel had an incorrect file number. The correct file number was 017-17458-0469-056.

#### INVESTIGATION

The initial contact with Suspect Hernandez and the use of force was video recorded by Deputy Pantoja [Exhibit C].

IAB Sergeants Alvarez and Camacho interviewed Suspect Hernandez at Whittier Presbyterian Hospital.

IAB Note: Whittier Presbyterian, Emergency Room, Doctor Michael Lee confirmed the injuries Suspect Hernandez sustained were consistent with the amount of force used and reported.

IAB investigators reviewed all written reports authored for the use of force. Deputy Balarosan authored the original criminal report. Sergeant Gonzalez and Deputies Rodriguez, Licona, Pantoja, Hernandez, Crisafi, Ovalle, Roman, Ethridge, Alatorre, Becerra, Kleeh, Johnson, Rosales, Molina, Reynal, and Banks prepared supplemental reports describing their observations and actions.

The following deputies responded; however, they did not witness any force, and did not author supplemental reports: Deputies Gentille, unit 43K1/P, Goble unit 43K5/P, Mangahis unit 46K1/P, and Deputy Racz, Air 24. Based on this information their interviews were not summarized within this investigation.

Utilizing Department resources, IAB investigators located two calls for service related to Suspect Hernandez. All of the calls occurred between June 3, 2017 and June 20, 2017, which were mental illness related [Miscellaneous Documents].

#### **REVIEW OF RADIO TRANSMISISIONS**

The radio transmissions included suspect description, suspect demeanor and location. Units on scene broadcasted up to date information regarding the suspect's demeanor, weapon in hand and deployments of less lethal weapons (Stun bag).

The following is a summary of radio traffic. For exact times, units and verbiage, refer to disk **[Exhibit D]** containing Dispatch 13, L-TAC, and A-TAC 3 radio traffic.

#### Dispatch 13:

1907 hours: (SCC Dispatch Channel) SCC dispatched a "902A" call at

1907 hours: Units "46K4" (Deputy Balarosan) and 46K5 (Deputy Alatorre) responded

"Code 3".

1909 hours: Unit "41S" (Sergeant Gonzalez) responded "Code 3".

1911 hours: (L-TAC) Unit advised suspect standing in front of house with "417A".

1911 hours: "46K4" requested a stun bag. 1911 hours: "46G 97" deployed stun bag.

1912 hours: "41S" advised "97".

#### **Duplex Patch Activated:**

1912 hours: Deputy Roman detained one at gunpoint with "417A",

Road. 5 Units "Code 6", stun bag deployed.

Edwards

1912 hours: 41S "Code 6".

1913 hours: "Air 24" ETA of 2 ½ minutes.

1914 hours: 46G advised suspect still has knife in her hand and is uncooperative.

1914 hours: SCC advised "S918" will be summoned.

1915 hours: S918 advised he is calling Norwalk Station desk.

1915 hours: "Air 24" advised 1 minute out.

1915 hours: Unit on scene advised suspect was threatening deputies. Arrest team,

less lethal and lethal deployed.

1915 hours: "41S" requested "S918" to respond "Code 3".

1915 hours: "Air 24" on scene and advised fire was staging on Foster Road and

Edwards Road.

1923 hours: Unit advised suspect was threatening to cut herself.

1931 hours: "S918" advised 4 miles out.

1939 hours: "S918" advised "97".

1944 hours: "Code 4", "902R" requested.

#### A TAC 3:

1942 hours: "40D" provided mother's number.

1943 hours: "902R" requested.

1944 hours: "Air 24" contacted "40D" to inform "902R" to respond north bound.

#### INVOLVED PERSONNEL AND EMPLOYEE WORK HISTORY:

Deputy Sheriff, Employee a

South Patrol Division/Norwalk Station

Date of Employment: Date assigned to NWK: Completed Patrol Training: Prior Shooting Incident(s):

Prior Founded Force Incident(s):



### DANIEL RODRIGUEZ Deputy Sheriff, Employee # South Patrol Division/Norwalk Station Date of Employment: 07/25/2007 Date assigned to NWK: 12/01/2013 Completed Patrol Training: Prior Shooting Incident(s): Prior Founded Force Incident(s): NON-EMPLOYEE WITNESSES: FH/43, DOB: , FH/51, DOB: SUSPECT INFORMATION: HERNANDEZ, VANESSA FH/27, DOB 04/11/91, 509, 200 LBS., CII # . FBI # . A check of CCHRS/CII (Consolidated Criminal History Reporting System/Criminal Information Index) revealed Suspect Hernandez had conviction ( Suspect Hernandez received Suspect Hernandez is currently housed at Century Regional Detention Center on a under case number

#### **INJURIES:**

book.

Suspect Hernandez sustained a fractured right cheek bone and temporal bone. She also sustained swelling and bruising to the left side of her abdomen. Witness Rosales accompanied Suspect Hernandez during the transportation to the hospital, and remained with her at the hospital throughout the duration of this investigation.

served time in a state prison. For further, refer to a copy of Suspect Hernandez' CCHRS/CII printouts, presented in the **Miscellaneous Documents** section of this case

date of October 22, 2018. Suspect Hernandez never

IAB Note: Suspect Hernandez' injuries were photographed by IAB investigators [Exhibit E].

Suspect Hernandez was treated for her injuries by Dr. Michael Lee of Whittier Presbyterian under patient number Suspect Hernandez was placed on a 72 hour hold evaluation by S918B4, Deputy Banks.

with a pending

IAB Note: Deputies on scene believed Suspect Hernandez was under the influence of a controlled substance because of her irratic behavior. Additionally, Suspect Hernandez told IAB investigators she had injested Methampethamnine earlier on the date of the incident; however, medical records revealed no evidence of drugs in her system.

#### **CRIMINAL INVESTIGATION CHARGES:**

Investigator's Name: Norwalk Station, Detective B. Goldowski #

Court: Downey Court Charges: 245(c) P.C. DA Case Number: 38346844

On February 27, 2018, Detective Goldowski submitted the complaint to the District Attorney's Office, Deputy District Attorney Berton. This case was rejected in lieu of on February 27, 2018. The case was refiled and on March 7, 2018, the case was rejected based on lack of sufficient evidence. For further, refer to the criminal complaint filing located in this casebook [Exhibit G].

#### **PHYSICAL EVIDENCE:**

The knife used by Suspect Hernandez in this incident was photographed by Deputy Balarosan [Exhibit F].

#### **INVESTIGATORS' OBSERVATIONS:**

The scene was evaluated, photographed, and processed by IAB investigators [Exhibit F]. Sergeant Gonzalez assigned Deputy Pantoja to video record the use of force. A disc copy was provided to IAB investigators [Exhibit C].

#### WEAPONS USED BY DEPUTY PERSONNEL:

**Deputy** used a Stun bag.

Deputy Rodriguez used a Stun bag.

#### **WEAPONS USED BY THE SUSPECT:**

Suspect Hernandez used a knife during this incident. Suspect Hernandez was disarmed following the employment of two Stun bags.

#### PROPERTY DAMAGE:

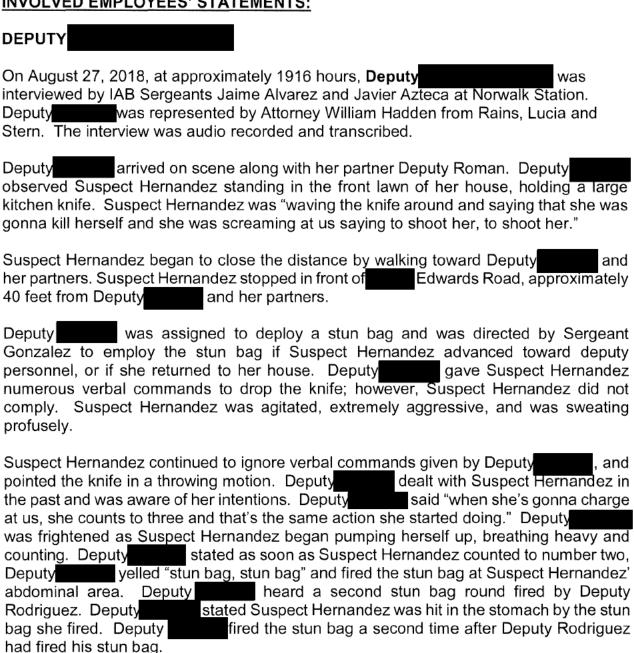
None.

#### LIGHTING AND WEATHER CONDITIONS:

Dark and cool temperature.

The following is a summary of the recorded interviews of the involved employees, witnesses and suspect's statements to IAB investigators. For additional information, refer to the attached verbatim transcripts and/or audio files.

#### **INVOLVED EMPLOYEES' STATEMENTS:**



Deputy said Suspect Hernandez fell to the ground and was handcuffed by the arrest team. Deputy reported her use of force to Sergeant Gonzalez.

#### DEPUTY DANIEL RODRIGUEZ

On August 27, 2018, at approximately 2012 hours, **Deputy Daniel Rodriguez** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Norwalk Station. Deputy Rodriguez was represented by Attorney William Hadden from Rains, Lucia and Stern. The interview was audio recorded and transcribed.

Deputy Rodriguez heard radio traffic regarding a female holding a knife, attempting to commit suicide by a cop. Deputy Rodriguez and his partner, Deputy Licona, arrived and deployed the stun bag from their patrol vehicle. Deputy Rodriguez observed Suspect Hernandez on the sidewalk, "holding a knife in one hand and a glass narcotic's pipe in the other hand."

Sergeant Gonzalez directed Deputy Rodriguez to employ the stun bag if Suspect Hernandez advanced toward deputy personnel or if Suspect Hernandez returned to her residence.

Suspect Hernandez made statements for deputies not to use the stun bag and to use the "real thing." Deputy Rodriguez said Suspect Hernandez wanted deputies to use a firearm. Suspect Hernandez pointed the knife at deputies and was talking to herself. Deputy gave Suspect Hernandez verbal commands to place the knife down. He also told her they were there to help her out, and were not trying to hurt Suspect Hernandez. Suspect Hernandez did not obey verbal commands and was not acknowledging anything deputies were telling her.

Deputy Rodriguez saw Suspect Hernandez tensing up and getting a "better grip on the knife." Suspect Hernandez said "all right, I'm gonna do it, I'm gonna do it." Deputy Rodriguez thought Suspect Hernandez was trying to build her courage and began to count as she took a step forward. Deputy Rodriguez said he felt fear Suspect Hernandez was going to hurt his partners and end up hurting herself. Deputy Rodriguez heard Deputy yell "stun bag" and he immediately fired his stun bag at Suspect Rodriguez. Deputy Rodriguez said Deputy round "caused Suspect Hernandez to bend forward a little bit." Deputy Rodriguez said his stun bag round struck Suspect Hernandez on the right side of her cheek.

Deputy Rodriguez said Deputy stun bag round impacted first, hitting Suspect Hernandez in the stomach, causing her to lean forward. Deputy Rodriguez fired the stun bag simultaneously aiming at low center mass. Suspect Hernandez fell to the ground and was handcuffed by the arrest team.

Deputy Rodriguez reported his use of force to Sergeant Rodriguez following the incident.

#### **SWORN WITNESS STATEMENTS:**

#### SERGEANT GODIN GONZALEZ

On August 14, 2018, at approximately 1336 hours, **Sergeant Godin Gonzalez** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Norwalk Station. The interview was audio recorded and transcribed.

Sergeant Gonzalez responded to a call for service regarding a female with a knife who wanted to commit suicide by a cop. Sergeant Gonzalez arrived on scene and observed Suspect Hernandez holding a "butcher knife" in one hand and a "meth pipe" in the other hand. Sergeant Gonzalez formulated a tactical plan and assigned deputies with lethal and less lethal weapons. Prior to Sergeant Gonzalez arrival, a stun bag was deployed by Deputy Sergeant Gonzalez assigned Deputy Alatorre to lethal (handgun), Deputy Roman to a Taser, Deputy Balarosan to an Arwen, Deputy Rodriguez to a secondary stun bag, and Deputies Becerra and Alatorre to an arrest team. Sergeant Gonzalez stated Deputy Reynal was handling radio communications with Sheriff's Communication Center (SCC), and Deputy Pantoja was assigned to record the incident with the field sergeant's video camera.

Sergeant Gonzalez used additional deputies on scene to provide security to prevent vehicles and pedestrians from entering the area. Sergeant Gonzalez stated he requested a S918 unit to respond Code 3 to the location. Sergeant Gonzalez said the fire department was staging during this incident. Sergeant Gonzalez saw Suspect Hernandez extremely agitated, moving back and forth, and making threats to harm herself and to attack deputy personnel with the knife. Suspect Hernandez was standing approximately 30-40 feet from deputy personnel. Sergeant Gonzalez directed Deputies and Rodriguez to use the stun bag if Suspect Hernandez advanced toward them, or if she retreated back to her residence, which was occupied by family members.

Sergeant Gonzalez assigned Deputy to communicate with Suspect Hernandez, since it appeared Deputy had a rapport with her. He also assigned Deputy Becerra to communicate with Suspect Hernandez, to attempt to de-escalate the situation by giving her verbal commands to drop the knife. Suspect Hernandez did not follow verbal commands and appeared to be "zoned out."

After approximately 30 minutes of trying to de-escalate the situation by using verbal commands, Suspect Hernandez said "are you ready." Suspect Hernandez took an aggressive stance by placing one foot in front of the other. Based on Suspect Hernandez' assaultive behavior, Sergeant Gonzalez directed Deputy to employ the stun bag at Suspect Hernandez. Deputies and Rodriguez fired their stun bags, hitting Suspect Hernandez. Deputy fired a second round; however, Sergeant Gonzalez did not know if that round hit Suspect Hernandez.

The stun bag rounds had an immediate effect. Suspect Hernandez dropped the knife and fell backwards. The arrest team (Deputies Becerra, Alatorre, Rosales, and Balarosan) approached Suspect Hernandez and handcuffed her.

Sergeant Gonzalez said Deputy stun bag round hit Suspect Hernandez in the stomach and Deputy Rodriguez' stun bag round hit Suspect Hernandez on the right side of the face. Sergeant Gonzalez explained the stun bag round fired by Deputy buckled Suspect Hernandez forward, causing Deputy Rodriguez' stun bag round to hit her in the face, although Deputy Rodriguez was aiming at center mass.

Suspect Hernandez was transported to Whittier Presbyterian for medical treatment of the injuries she sustained.

Sergeant Gonzalez debriefed the incident with deputy personnel regarding the use of force and made sure all personnel who used or witnessed force provided a supplemental report.

#### **DEPUTY JOHN BALAROSAN**

On August 14, 2018, at approximately 1658 hours, **Deputy John Balarosan** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Norwalk Station. The interview was audio recorded and transcribed.

Deputy Balarosan was the handling unit for an attempt suicide by cop at Deputy Balarosan coordinated the call with assisting units and assigned less lethal weapons. Deputy Balarosan met with assisting units north of the location and assigned Deputy Alatorre with lethal (handgun), Deputy a stunbag, and Deputy Roman a Taser. Deputy Balarosan assigned himself the Arwen.

Deputy Balarosan arrived at the location and saw a female (Suspect Hernandez) matching the description given in the call holding a large kitchen knife. Suspect Hernandez was standing on the west sidewalk, wielding the knife as she paced back and forth. Deputy Balarosan and his partners positioned themselves approximately 30-35 feet from Suspect Hernandez, and began to give Suspect Hernandez verbal commands to drop the knife.

Sergeant Gonzalez arrived on scene, formulated a tactical plan, and assigned Deputy Rodriguez to deploy an additional stun bag. Suspect Hernandez continued to pace back and forth, yelling "just shoot me, just shoot me." As Suspect Hernandez advanced toward deputy personnel, Deputy aimed at center mass and fired the stun bag, hitting Suspect Hernandez in the stomach. Deputy Rodriguez also fired the stun bag. Suspect Hernandez fell and was handcuffed by the arrest team. Suspect Hernandez was transported to Whittier Presbyterian Hospital for medical treatment.

#### DEPUTY ALONSO ALATORRE

On August 14, 2018, at approximately 1509 hours, **Deputy Alonso Alatorre** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Norwalk Station. The interview was audio recorded and transcribed.

Deputy Alatorre arrived at the location and recognized Suspect Hernandez from prior contacts. Suspect Hernandez was holding a "large butcher knife in her right hand."

Sergeant Gonzalez assigned Deputy Alatorre to lethal (handgun). Verbal commands were given to Suspect Hernandez to drop the knife, however; Suspect Hernandez became agitated and advanced toward deputy personnel. Deputy fired the stun bag hitting Suspect Hernandez' torso area. As Suspect Hernandez leaned forward, Deputy Alatorre heard a second stun bag fire. Suspect Hernandez fell backwards and was handcuffed by the arrest team.

#### DEPUTY ISRAEL BECERRA

On August 27, 2018, at approximately 1826 hours, **Deputy Israel Becerra** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Norwalk Station. Deputy Becerra was represented by Attorney William Hadden from Rains, Lucia and Stern. The interview was audio recorded and transcribed.

Deputy Becerra arrived on scene and saw Suspect Hernandez standing on the west side of the street, holding a "steak knife" with her right hand. Sergeant Gonzalez assigned Deputy Becerra to the arrest team, and assigned other deputies to lethal and less lethal weapons.

Suspect Hernandez was given verbal commands to drop the knife; however, she began walking toward their direction. Deputy fired the stun bag at Suspect Hernandez and a second stun bag was fired by Deputy Rodriguez. Suspect Hernandez fell on her buttocks and dropped the knife. Deputy Becerra approached Suspect Hernandez and threw the knife in a southern direction away from Suspect Hernandez. Deputy Becerra handcuffed Suspect Hernandez with the assistance of the arrest team.

#### **DEPUTY DAISY ROSALES**

On August 22, 2018, at approximately 1800 hours, **Deputy Daisy Rosales** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Norwalk Station. The interview was audio recorded and transcribed.

Deputy Rosales arrived on scene with her partner, Deputy Molina, and was assigned to lethal (handgun) by Sergeant Gonzalez. Several verbal commands were given to Suspect Hernandez to drop the knife. Suspect Hernandez refused to comply and "she began to count down." Deputy Rosales heard two stun bag rounds go off, and saw

Suspect Hernandez fall backwards. Deputy Rosales assisted the arrest team by conducting a pat down and escorting Suspect Hernandez to a patrol vehicle.

#### **DEPUTY RAUL ROMAN**

On August 14, 2018, at approximately 1425 hours, **Deputy Raul Roman** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Norwalk Station. The interview was audio recorded and transcribed.

Deputy Roman arrived with his partner, Deputy Deputy Roman saw Suspect Hernandez holding a "large butcher knife." Deputy Roman activated the duplex-patch advising units of his observations. Sergeant Gonzalez arrived on scene and formulated a tactical plan, assigning Deputy Roman to less lethal (Taser). Suspect Hernandez "bladed her body, kind of almost took like a, like a ready, set position getting ready to charge toward us while she was still, still holding the knife." Deputy yelled "stunbag, stunbag." Both Deputies and Rodriguez fired the stunbag at Suspect Hernandez. Suspect Hernandez fell and was handcuffed by the arrest team.

#### **DEPUTY DAVID PANTOJA**

On August 14, 2018, at approximately 1552 hours, **Deputy David Pantoja** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Norwalk Station. The interview was audio recorded and transcribed.

Deputy Pantoja arrived with his partner, Deputy Hernandez, and was directed by Sergeant Gonzalez to record the incident on video. Deputy Pantoja positioned the video camera on top of a patrol vehicle, and reached inside the vehicle's compartment to retrieve the public announcement system (P.A.). Deputy Pantoja reached inside and heard three shots consistent with a stun bag. The arrest team approached Suspect Hernandez and handcuffed her.

#### **DEPUTY ALAN HERNANDEZ**

On August 22, 2018, at approximately 1843 hours, **Deputy Alan Hernandez** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Norwalk Station. The interview was audio recorded and transcribed.

Deputy Hernandez arrived with his partner, Deputy Pantoja, and assisted the handling unit with gathering information from the neighbors nearby. Deputy Hernandez heard a stun bag fired three times, and saw Suspect Hernandez on the ground screaming. Suspect Hernandez was handcuffed and treated by the fire department on scene.

#### **DEPUTY SCOTT REYNAL**

On August 20, 2018, at approximately 2139 hours, **Deputy Scott Reynal** was interviewed by IAB Sergeant Jaime Alvarez at Norwalk Station. The interview was audio recorded and transcribed.

Deputy Reynal arrived to the location, assisted Sergeant Gonzalez as needed, and relieved Deputy Roman of radio duties. As Deputy Reynal gathered some information, he heard three stun bag rounds deploy, and as he looked up, he saw Suspect Hernandez fall to the ground dropping the knife. Suspect Hernandez was handcuffed by the arrest team and treated by the fire department.

#### **DEPUTY KEVIN ETHRIDGE**

On August 22, 2018, at approximately 1528 hours, **Deputy Kevin Ethridge** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Aero Bureau, in the city of Long Beach. The interview was audio recorded and transcribed.

Deputy Ethridge provided extra security behind the deputies engaging with Suspect Hernandez. Deputy Ethridge heard three stun bag rounds deploy, and as he turned around, he saw Suspect Hernandez on the ground. The arrest team approached Suspect Hernandez and handcuffed her without incident.

#### **DEPUTY SETH JOHNSON**

On August 14, 2018, at approximately 1054 hours, **Deputy Seth Johnson** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Alhambra Court. The interview was audio recorded and transcribed.

Deputy Johnson arrived with his partner Deputy Kleeh and established a containment approximately forty feet north of the location. Deputy Johnson heard three "pops" which was the stun bag being deployed. Deputy Johnson turned around and saw Suspect Hernandez on the ground being handcuffed by deputies.

#### **DEPUTY JOHN KLEEH**

On August 14, 2018, at approximately 1801 hours, **Deputy John Kleeh** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Norwalk Station. The interview was audio recorded and transcribed.

Deputy Kleeh arrived with his partner Deputy Johnson and position themselves approximately fifty feet north of the location providing crowd control. Deputy Kleeh heard three stun bag rounds fired at Suspect Hernandez. Deputy Kleeh turned around and saw "multiple deputies on top of her trying to handcuff her." Deputy Kleeh did not witness which deputies handcuffed Suspect Hernandez because he turned and faced the crowd, who attempted to advance.

#### **DEPUTY JEREMY LICONA**

On August 14, 2018, at approximately 1625 hours, **Deputy Jeremy Licona** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Norwalk Station. The interview was audio recorded and transcribed.

Deputy Licona arrived with his partner Deputy Rodriguez and provided security to the rear of a patrol vehicle. Deputy Licona heard Sergeant Gonzalez ordering the stun bag to be fired and heard three stun bag rounds deploy. Deputy Licona said the first round hit Suspect Hernandez in the stomach, "which caused her body to buckle." Deputy Licona saw Suspect Hernandez fall and was then handcuffed by the arrest team, consisting of Deputies Balarosan, Rosales, and Becerra.

#### **DEPUTY LUIS MOLINA**

On August 20, 2018, at approximately 1212 hours, **Deputy Luis Molina** was interviewed by IAB Sergeant Jaime Alvarez at the IAB office. The interview was audio recorded and transcribed.

Deputy Molina arrived with his partner Daisy Rosales. Deputy Molina positioned himself approximately 50 feet south of where Suspect Hernandez was standing, to prevent her from fleeing southbound. Deputy Molina heard a stun bag fired approximately three times. Suspect Hernandez was handcuffed and transported to Whittier Presbyterian Hospital. Deputy Molina stated he did not witness the force, nor who handcuffed Suspect Hernandez.

#### **DEPUTY RALPHEAL BANKS**

On August 23, 2018, at approximately 1142 hours, **Deputy Ralpheal Banks** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at the IAB office. The interview was audio recorded and transcribed.

Deputy Banks was assigned to the Mental Evaluation Team as unit S918B4 and responded Code 3 to the location. Deputy Banks arrived and saw Suspect Hernandez pacing back and forth holding a kitchen knife. Suspect Hernandez was saying "just shoot me, shoot me, shoot me." Deputy Banks heard two stun bag rounds deploy.

Suspect Hernandez fell and was handcuffed by the arrest team. Deputy Banks responded to Whittier Presbyterian and placed a 5150 WIC, 72 hour hold on Suspect Hernandez. Deputy Banks stated Suspect Hernandez might have been under the influence of "some sort of drugs."

#### **DEPUTY RUSSELL HELBING**

On August 28, 2018, at approximately 1120 hours, **Deputy Russell Helbing** was interviewed by IAB Sergeant Jaime Alvarez at Bracket Field Airport, 1889 McKinley Avenue, in the city of La Verne. The interview was audio recorded and transcribed.

Deputy Helbing was assigned as a tactical flight deputy for Air 24, and responded to

Upon arrival, Deputy Helbing saw ten or more deputies, some
with stun bags, at least one Taser and several other deputies standing behind patrol
vehicles. Deputy Helbing saw Suspect Hernandez on the west sidewalk holding a knife
with her hand.

Deputies requested Air 24 to raise their altitude because the noise of the helicopter was preventing them from communicating with Suspect Hernandez. The altitude of the helicopter was raised from 400 to approximately 800 feet. Using the forward-looking infrared (FLIR) camera (infrared camera that sees in degrees of heat, displaying in black and white), Deputy Helbing observed a deputy shoot Suspect Hernandez with a stun bag, causing Suspect Hernandez to fall to the ground. Deputies approached Suspect Hernandez and took her into custody.

#### **DEPUTY CHAD CRISAFI**

On August 14, 2018, at approximately 1537 hours, **Deputy Chad Crisafi** was interviewed by IAB Sergeants Jaime Alvarez and Javier Azteca at Norwalk Station. The interview was audio recorded and transcribed.

Deputy Crisafi arrived and positioned himself approximately 100 hundred yards away from where Suspect Hernandez was standing. Deputy Crisafi heard "a popping noise", and when he turned around, he saw Suspect Hernandez fall to the ground. Deputy Crisafi did not witness the force because he was focused on keeping the neighbors away from the location.

#### **NON-EMPLOYEE WITNESSES STATEMENTS:**

WITNESS	
On December 1, 2017, at approxima Jaime Alvarez and Omar Camacho	
	. The interview was audio recorded and
transcribed.	
	Suspect Hernandez. Suspect Hernandez has been for approximately four years, and is currently using the months.

Suspect Hernandez had been hospitalized approximately four times on a 72 hour hold, the last time being June of 2017. On today's date, Witness noticed Suspect Hernandez was acting crazy, and kept telling her "Can't you hear that? They're talking about me." Suspect Hernandez had a "pipe" in her hand; however, Witness was not aware Suspect Hernandez was in possession of a knife. Suspect Hernandez called Norwalk Station while she sat outside her residence.
Witness looked outside her window and saw Suspect Hernandez with a knife in her hand. She also saw deputies and heard them telling her to place the knife down. Witness walked into her walked outside and saw Suspect Hernandez on the ground handcuffed.
WITNESS :
On December 1, 2017, at approximately 2306 hours, IAB investigators, Sergeants  Jaime Alvarez and Omar Camacho interviewed Witness  The interview was audio recorded and transcribed.
Witness saw Suspect Hernandez waving a knife and threatening to hurt herself. In one occasion, she saw Suspect Hernandez placing the knife either toward her neck or wrist, and her chest. Deputies were trying to calm her down so she would not hurt herself.
Witness was outside her home and heard "the Taser go off and, I tried to see but there is you know, there was a lot of cops." Witness said she saw Suspect Hernandez on the ground.
WITNESS :
On December 1, 2017, at approximately 2225 hours, IAB investigators, Sergeants Jaime Alvarez and Omar Camacho interviewed Witness at Edwards Road, in the city of La Mirada. The interview was audio recorded and transcribed; however, Witness Avila did not want to speak to us on or off the record.
IAB Note: IAB investigators conducted door knocks on Edwards Road; <a href="https://www.no.engline.com/however">however</a> , there was no answer at the following locations:

### **SUSPECT STATEMENTS:**

SUSPECT: VANESSA HERNANDEZ

On December 1, 2017, at approximately 2343 hours, IAB investigators, Sergeants Jaime Alvarez and Omar Camacho interviewed **Suspect Hernandez** at Whittier

and

Presbyterian Hospital in the city of Whittier. The interview was audio recorded and transcribed [Exhibit H].

Suspect Hernandez said she was upset because she was accused of being a child molester. Suspect Hernandez said she tried to commit suicide before, so she called 911 and told them she wanted to commit suicide by a cop. Suspect Hernandez said "I'm on drugs you know and just I have bipolar and major depression and you know, and drugs in particular." Suspect Hernandez said she had a knife in her right hand and a "meth pipe" in her left hand. Suspect Hernandez stopped walking toward them (deputies) because they pointed their guns at her.

Suspect Hernandez stated deputies told her to put the knife down. Suspect Hernandez wanted to place the knife down, and "didn't do it you know." Suspect Hernandez stated "I kind of was jumping around and like, kind of like going toward them and then coming right back." Suspect Hernandez said that is when she was shot in the face and in the stomach with a "bean bag."

Suspect Hernandez said she used Methamphetamine earlier on the date of the incident, but did not consume alcohol. Suspect Hernandez has been placed on a 72 hour hold approximately five times.